REMARKS

Favorable reconsideration of this application is requested in view of the following remarks. Claims 1-2 remain actively pending in the case. Reconsideration of the claim is respectfully requested.

In paragraph 3 on page 2 of the Office Action, claims 1-2 were rejected under 35 USC §102(e) as being anticipated by Soscia (US 6,636,332). Applicants respectfully traverse the rejections.

Soscia fails to teach or suggest at least providing a second machine-readable indicia in a protective overlayer that is identical in content to, and in register with said first machine-readable indicia in said image layer as required by independent claims 1 and 2.

First, Soscia merely discloses the generation of indicia 40, which is an image data file that represents an image 20 and is in the form of a two-dimensional encoded compressed variable array. *See* Col. 7, lines 17-20; Figs. 2, 3 and 6. Also, it is clear from Figs 2, 3 and 6 that the two-dimensional array 40 of Soscia is not identical in content to, and in register with the asserted first machine-readable indicia in an image layer 20. *See* page 17, line 29 – page 18, line16 and Fig. 9 of Applicants' Specification. Moreover, the sectional view of Fig. 4 of Soscia also illustrates how the two-dimensional array (indicia 40) is not identical in content to, in register with the image layer 70/80/90 of image 20. Col. 5, lines 45-51.
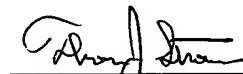
Second, Soscia does not even provide machine-readable indicia in a protective layer. Rather, Soscia discloses that the image 20 includes first, second and third colorant layers 70/80/90, a fourth layer 100 including an indicia 40 overlaying the third colorant layer 90, and a fifth clear protective layer 110 for protecting the fourth layer 100 (including indicia 40) from damage. *See* Col. 4, lines 20-41; Fig. 4; Col. 5, lines 45-51. Accordingly, the indicia 40 of Soscia is not in a protective layer.

Also, Soscia fails to teach or suggest at least providing a first machine-readable indicia in an image layer on said media. Rather, Soscia discloses an image 20 includes first, second and third colorant layers 70/80/90. Soscia does not disclose that image 20 is machine-readable.

Therefore, in view of the above remarks, Applicants' independent claims are patentable over the cited reference.

In view of the foregoing it is respectfully submitted that the claims in their present form are in condition for allowance and such action is respectfully requested.

Respectfully submitted,

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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.